

AMENDMENTS TO THE DRAWINGS:

The attached replacement sheet includes changes to Fig. 2. Three instances of "MGCPet., al" has been replaced with "MGCP, etc."

Attachments: One replacement sheet containing Fig. 2.

REMARKS

In the Office Action,¹ the Examiner took the following actions:

- 1) objected to the abstract;
- 2) objected to the drawings;
- 3) objected to claim 14 for informalities;
- 4) rejected claims 3, 4, and 13 under 35 U.S.C. § 112, second paragraph, as being indefinite;
- 5) rejected claims 1, 3, 4, and 11 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,002,689 to Christie et al. ("Christie");
- 6) rejected claims 1, 2, 5-7, and 9-14 under 35 U.S.C. § 102(b) as being anticipated by Modarressi and Mohan, "Control and Management in Next-Generation Networks: Challenges and Opportunities," IEEE Communications Magazine, October 2000 ("Modarressi"); and
- 7) rejected claim 8 under 35 U.S.C. § 103(a) as being unpatentable over *Christie* in view of Williams, "The Softswitch Advantage," IEEE Review, July 2002 ("Williams").

By this Amendment, Applicants cancel claim 2 and incorporate the subject matter thereof into claim 1. Thus, the rejection of claim 2 is moot. Applicants further amend the abstract, Fig. 2, and claims 1 and 3-14.

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement of characterization in the Office Action.

Objection to the Abstract

The Examiner objected to the abstract "because it contains . . . 'said' . . . in six instances and it exceeds the suggested length." Office Action at 3. In response, Applicants amend the abstract to address the Examiner's concerns. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the objection to the abstract.

Objection to the Drawings

The Examiner objected to Applicants' Fig. 2 "because Fig. 2 recites in three places 'MGCPet., al.'" *Id.* In response, Applicants submit a replacement sheet containing amended Fig. 2, wherein "MGCPet., al" has been replaced with "MGCP, etc." Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the objection to the drawings.

Objection to Claim 14

Applicants respectfully traverse the objection to claim 14 for reciting a reference number, i.e., "a call server 202." *Id.* at 4. However, to advance prosecution, Applicants amend claim 14 to delete the reference number 202. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the objection to claim 14.

Rejection of Claims 3, 4, and 13 Under 35 U.S.C. § 112, Second Paragraph

Applicants respectfully traverse the rejection of claims 3, 4, and 13 under 35 U.S.C. § 112, second paragraph, as being indefinite. However, to advance prosecution, Applicants amend claims 3, 4, and 13 to address the Examiner's concerns.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 3, 4, and 13 under 35 U.S.C. § 112, second paragraph.

Rejection of Claims 1, 3, 4, and 11 Under 35 U.S.C. § 102(b)

Applicants respectfully traverse the rejection of claims 1, 3, 4, and 11 under 35 U.S.C. § 102(b) as being anticipated by *Christie*. In order to properly establish that *Christie* anticipates Applicants' claimed invention under 35 U.S.C. § 102, each and every element of each of the claims in issue must be found, either expressly described or under principles of inherency, in that single reference. Furthermore, “[t]he identical invention must be shown in as complete detail as is contained in the . . . claim.” M.P.E.P. § 2131, 8th Ed., Rev. 6 (Sept. 2007) (quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236 (Fed. Cir. 1989)). Applicants submit that *Christie* does not teach or suggest each and every element of Applicants' claims.

Independent claim 1, as amended, calls for a combination including, for example, “creating a media port that corresponds to the caller party equipment and a media port that corresponds to the called party equipment and establishing a mapping between the two media ports within the media interworking equipment.”

Christie discloses “[a] system to interworking a call between a plurality of networks having different formats.” *Christie*, abstract. *Christie* further discloses “[t]he interworking unit converts the user communication from the format in which it was received to the format that is compatible with the selected system.” *Id.* However, *Christie* does not disclose “creating a media port that corresponds to the caller party equipment and a media port that corresponds to the called party equipment and establishing a mapping between the two media ports within the media interworking

equipment," as previously recited in claim 2, now recited in claim 1. Indeed, the Examiner did not cite *Christie* as a teaching the above-quoted claim element which was cited in claim 2.

For at least the foregoing reasons, *Christie* does not teach or suggest all the elements of claim 1. *Christie* thus fails to anticipate claim 1. Furthermore, independent claim 11, although different in scope from claim 1, is allowable for at least reasons similar to those given for claim 1. Dependent claims 3 and 4 are allowable at least due to their dependence from independent claim 1. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1, 3, 4, and 11 under 35 U.S.C. § 102(b).

Moreover, *Christie* discloses a system for interworking a call between a plurality of networks having different formats. However, *Christie*'s disclosure does not relate to the teleservice interworking between two "broadband heterogeneous networks," and *Christie* does not disclose the technical feature of the media interworking equipment creating two media ports respectively corresponding to a caller party equipment and a called party equipment, and establishing a mapping between the two media ports.

Rejection of Claims 1, 5-7, and 9-14 Under 35 U.S.C. § 102(b)

Applicants respectfully traverse the rejection of claims 1, 5-7, and 9-14 under 35 U.S.C. § 102(b) as being anticipated by *Modarressi*. *Modarressi* does not teach or suggest each and every element of Applicants' claims.

Independent claim 1, as amended, calls for a combination including, for example, "creating a media port that corresponds to the caller party equipment and a media port

that corresponds to the called party equipment and establishing a mapping between the two media ports within the media interworking equipment."

Modarressi discloses that "the egress RG informs the MGC that it can receive audio streams from the called party on a certain port," "[t]he MGC informs the calling RG of the port . . . provided by the egress RG," and "since the RGs at both ends of the call now know which port to send audio RTP packets to and which to receive on, . . . the parties can begin to communicate." *Modarressi*, p. 101, left column. Therefore, *Modarressi* fails to disclose "creating a media port that corresponds to the caller party equipment and a media port that corresponds to the called party equipment and establishing a mapping between the two media ports within the media interworking equipment," as recited in claim 1 (emphasis added).

For at least the foregoing reasons, *Modarressi* does not teach or suggest all the elements of claim 1. *Modarressi* thus fails to anticipate claim 1. Furthermore, independent claim 11, although different in scope from claim 1, is allowable for at least reasons similar to those given for claim 1. Dependent claims 5-7, 9, 10, and 12-14 are allowable at least due to their dependence from independent claim 1 or 11. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1, 5-7, and 9-14 under 35 U.S.C. § 102(b).

Moreover, *Modarressi* only discloses a call setup procedure between two telephones within a packet network. In such a case, the claimed "media interworking equipment" would not be required. Therefore, *Modarressi* does not disclose a call interworking between two "broadband heterogeneous networks."

Furthermore, *Modarressi*, page 101, left column, discloses that the RGs at both ends of the call respectively inform the MGC of a certain port on which the media streams can be received and the MGC then informs the calling RG and the egress RG of each other's ports. Thus, the RGs can know which port to send the media streams and which port to receive on. Therefore, *Modarressi* fails to disclose the technical feature of the media interworking equipment creating two media ports respectively corresponding to a caller party equipment and a called party equipment, and establishing a mapping between the two media ports.

Rejection Claim 8 Under 35 U.S.C. § 103(a)

Applicants respectfully traverse the rejection of claim 8 under 35 U.S.C. § 103(a) as being unpatentable over *Christie* in view of *Williams*. A *prima facie* case of obviousness has not been established.

“The key to supporting any rejection under 35 U.S.C. 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious.” M.P.E.P. § 2142(III). “[T]he framework for objective analysis for determining obviousness under 35 U.S.C. 103 is stated in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966). . . . The factual inquiries . . . are as follows:

(A) [Determining the scope and content of the prior art;]

(B) Ascertaining the differences between the claimed invention and the prior art;

and

(C) Resolving the level of ordinary skill in the pertinent art.”

M.P.E.P. § 2141(II). “Office personnel must explain why the difference(s) between the prior art and the claimed invention would have been obvious to one of ordinary skill in the art.” M.P.E.P. § 2141(III).

Claim 8 depends from claim 1. As discussed above, *Christie* fails to teach or suggest “creating a media port that corresponds to the caller party equipment and a media port that corresponds to the called party equipment and establishing a mapping between the two media ports within the media interworking equipment,” as recited in claim 1, and required by claim 8.

The Examiner cites *Williams* as teaching various elements of claim 8. Office Action, pp. 13-14. Even assuming the Examiner’s characterization of *Williams* is correct, which Applicants do not concede, *Williams* fails to cure the deficiencies of *Christie*. That is, *Williams* also fails to teach or suggest “creating a media port that corresponds to the caller party equipment and a media port that corresponds to the called party equipment and establishing a mapping between the two media ports within the media interworking equipment,” as recited in claim 1, and required by claim 8.

For at least the foregoing reasons, the scope and content of the prior art have not been properly determined, and the differences between the prior art and claim 8 have not been properly ascertained. Accordingly, no reason has been clearly articulated as to why the prior art would have rendered claim 8 obvious to one of ordinary skill in the art. Therefore, a *prima facie* case of obviousness has not been established with respect to claim 8. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 8 under 35 U.S.C. § 103(a).

Conclusion

In view of the foregoing, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 20, 2008

By: Peter Yi
Peter C. Yi
Reg. No. 61,790
202.408.4485

Attachment: One replacement sheet containing Fig. 2.